



Environmental Management Consolidated Business Center (EMCBC)

Subject: Merit Promotion Plan

POLICY, PROCEDURE
AND PLAN

APPROVED: (Signature on File)
EMCBC Director

1.0 PURPOSE

The Office of Environmental Management (EM), Consolidated Business Center (CBC) Merit Promotion Plan establishes the regulatory-based approach and methodology utilized to ensure the systematic and equitable selection of candidates for promotion and position placement opportunities with the EMCBC and serviced organizations.

2.0 SCOPE

The scope of the Merit Promotion Plan will ensure that merit promotion and other placement actions will be taken without regard to political, religious, or labor organization affiliation or non-affiliation; marital status; race; color; sex; national origin; non- disqualifying physical handicap; age; nepotism; or other non-merit factors and must be based solely on job-related criteria.

3.0 APPLICABILITY

The plan is applicable to all EMCBC employees, servicing sites, and potential candidates for employment within DOE.

4.0 REQUIREMENTS and REFERENCES

- 4.1 5 CFR 300, Subpart A, "Employment Practices"
- 4.2 5 CFR 335, "Promotion and Internal Placement"
- 4.3 29 CFR 1607, "Uniform Guidelines on Employee Selection Procedures (1978)"
- 4.4 U.S. Office of Personnel Management (OPM), "Operating Manual: Qualification Standards for General Schedule Positions"
- 4.5 U.S. OPM, "Handbook X-118C, Job Qualification System for Trades and Labor Occupations"
- 4.6 DOE Order 320.1, "Acquiring and Positioning Human Resources"
- 4.7 DOE Order 3771.1, "Grievance Policy and Procedures"

5.0 DEFINITIONS – Not Applicable

6.0 RESPONSIBILITIES

6.1 Director EMCBC - Exercises overall authority for Human Capital Management for EMCBC and serviced organizations in accordance with Merit System Principles, current laws/statutes, DOE guidance, and the provisions of this Plan.

6.2 Assistant Director, EMCBC, Office of Human Resources (OHR):

6.2.1 Establishes and implements a Merit Promotion Plan to ensure that employees are fairly considered and selected for employment.

6.2.2 Manages the EMCBC Human Capital Management System to achieve and maintain compliance with current laws, Merit System Principles, OPM and DOE guidance and the provisions of this Plan.

6.2.3 Provides day-to-day direction, guidance, and technical assistance to managers in merit promotion activities.

6.2.4 Provides information to employees about merit promotion procedures, opportunities for promotion, career development, etc.

6.2.5 Maintains liaison with DOE Headquarters and appropriate OPM offices (as necessary) to provide an effective Human Capital Management System.

6.3 Selecting Officials, Managers and Supervisors:

6.3.1 Comply with all merit promotion principles and procedures in accordance with applicable Federal laws, regulations, and DOE policies and procedures.

6.3.2 Promote equal employment opportunities in accordance with DOE and EMCBC Affirmative Employment Action, Strategic, Diversity, and Workforce Management Plans, ensuring that personnel actions are consistent with organizational goals, objectives and policies.

6.3.3 Establish job-related evaluation criteria, in conjunction with OHR staff, for use in measuring the qualifications of candidates under merit promotion procedures.

- 6.3.4 Provide Subject-Matter Experts (SMEs) to serve as panel members to assist in the ranking and/or interviewing processes when requested by the OHR.
- 6.3.5 Ensure appropriate formal and/or on-the-job training is provided to all supervisors in the application of merit promotion procedures.
- 6.3.6 Consider all candidates referred by OHR and make tentative selection from the selection certificate without discrimination for any non-merit reason(s) and without favoritism based on personal relationship or patronage.
- 6.3.7 Anticipate personnel needs as far in advance as practical and initiate a SF-52, Request for Personnel Action, along with other required documentation (e.g., position description and crediting plan) in sufficient time to allow for effective recruitment.

6.4 Human Resources (HR) Specialists:

- 6.4.1 Comply with all merit promotion principles and procedures in accordance with applicable Federal laws, regulations, and DOE policies and procedures.
- 6.4.2 Ensure the appropriate use of automated systems in recruiting merit promotion vacancies.
- 6.4.3 Provide advice and guidance to managers/supervisors on recruitment options, merit system principles, and prohibited personnel practices.
- 6.4.4 Assist managers/supervisors, if necessary, in developing crediting plans based on a job analysis, or in identifying required competencies and developing job-related questions based on the elemental tasks extracted during the job analysis of the major duties of the position.
- 6.4.5 Document the job analysis process for the record. Approve selective factors based on valid job analysis and consistent with applicable OPM regulations.
- 6.4.6 Assist absent employees or their representatives, as requested, with applying for internal vacancies.
- 6.4.7 Validate applicants' résumés for basic qualifications, specialized experience, time-in-grade restrictions, eligibility for promotion or noncompetitive consideration, required documentation, and other eligibility requirements.

6.4.8 Extend the official offer of employment to selectees.

7.0 GENERAL INFORMATION – Not Applicable

8.0 PROCEDURE

8.1 Coverage - Actions subject to competitive procedures include:

- 8.1.1 Transfer to a position at a higher grade or with more promotion potential than a position previously held on a permanent basis in the competitive service;
- 8.1.2 Reinstatement to a permanent or temporary position at a higher grade or with more promotion potential than a position previously held on a permanent basis in the competitive service;
- 8.1.3 Reassignment or demotion to a position with more promotion potential than a position previously held on a permanent basis in the competitive service (except as permitted by reduction-in-force regulations);
- 8.1.4 Time-limited promotions for more than 120 days to higher-graded positions (prior service during the preceding 12 months under noncompetitive temporary promotions and noncompetitive details to higher graded positions counts towards the 120-day total). A temporary promotion may be made permanent without further competition provided the temporary promotion was originally made under competitive procedures and the fact that it might lead to a permanent promotion was made known to all potential candidates;
- 8.1.5 Details for more than 120 days to a higher graded position or to a position with higher promotion potential (prior service during the preceding 12 months under noncompetitive details to higher graded positions and noncompetitive time-limited promotions count toward the 120 day total); and
- 8.1.6 Selection for training which is part of an authorized training agreement or promotion program, or required before an employee may be considered for a promotion as specified in 5 CFR Part 410.

8.2 Exceptions

- 8.2.1 A promotion without current competition of an employee who was appointed in the competitive service from a civil service register, by direct-hire, noncompetitive appointment or noncompetitive conversion, or under competitive promotion procedures for an assignment intended to

prepare the employee for the position being filled (the intent must be made a matter of record and career ladders must be documented). NOTE: Promotions do not occur automatically. Employees will receive a promotion if their performance is at an acceptable level [e.g., current rating of record is “Meets Expectations” (or equivalent) or higher], they meet OPM qualification and time-in-grade requirements, and the promotion has been approved by their supervisor. Promotions may also be delayed or withheld for other reasons, such as budgetary constraints;

- 8.2.2 A promotion resulting from an employee’s position being classified at a higher grade because of additional duties and responsibilities. This is appropriate for use when there are no other employees serving in similar or identical positions to which the duties could have been assigned;
- 8.2.3 A promotion resulting from upgrading a position without significant change in duties and responsibilities due to application of a new classification standard or the correction of an initial classification error;
- 8.2.4 A temporary promotion, or detail to a higher graded position or a position with known promotion potential of 120 days or less;
- 8.2.5 Promotion to a grade previously held on a permanent basis in the competitive service (or in another merit system with which OPM has an interchange agreement approved under 5 CFR Part 6.7) from which an employee was separated or demoted for other than performance or conduct reasons;
- 8.2.6 Promotion, reassignment, demotion, transfer, reinstatement, or detail to a position having promotion potential no greater than the potential of a position the employee currently holds or previously held on a permanent basis in the competitive service (or in another merit system with which OPM has an interchange agreement approved under 5 CFR Part 6.7) and did not lose due to performance or conduct reasons;
- 8.2.7 Consideration of a candidate not given proper consideration in a competitive promotion action;
- 8.2.8 Appointments of career SES appointees with competitive service reinstatement eligibility to any position for which they qualify in the competitive service at any grade or salary level, including Senior-Level positions established under 5 CFR Part 319; and
- 8.2.9 A position change permitted by reduction-in-force procedures (5 CFR Part 351).

8.3 Vacancy Announcements

Positions will be advertised in accordance with current DOE Orders, policies, plans and programs. Positions may be filled on a permanent, temporary, term or provisional basis. Temporary promotions may be made permanent without further competition as long as the provision is stated in the announcement.

8.3.1 Advertisement. Vacancies will be announced through DOE Jobs Online, OPM's USAJobs automated recruitment system, and/or the EMCBC website, as applicable.

8.3.2 Area of Consideration. In determining area of consideration (or scope of competition) for filling positions, the HR Specialist and the supervisor determine the area of consideration and timeframes to provide a reasonable number of high quality candidates. The minimum area of consideration for EMCBC and serviced organizations will be determined based on consideration of existing DOE guidelines on merit promotion and hiring control policies set forth by the DOE, Office of Environmental Management. Exceptions to DOE guidelines on minimum area of consideration will be documented in the merit promotion file.

8.3.3 Time Limits for Posting. Vacancies announced DOE-wide will be posted for a minimum of 15 calendar days. Vacancies announced for a smaller area of consideration will be posted for a minimum of 7 calendar days. Vacancies that are advertised outside of the agency must be posted per OPM, Interagency Career Transition Assistance Program requirements. When specific positions show a high rate of turnover or a low rate of internal applications, vacancy announcements may remain open continuously for a period not to exceed 1 year. The vacancy announcement must clearly state the continuously open nature of the announcement and the application procedures to be followed.

8.3.4 Acceptance of Applications. Applicants, who are not serviced by the EMCBC, must submit application materials (i.e., on-line resumes and supplemental documentation) such that they are received in the EMCBC, OHR by the closing date of the vacancy announcement. Application materials that are not timely submitted will not be considered in the candidate evaluation process. EMCBC and serviced employees are required to ensure that any supplemental documentation that is required to verify their eligibility or qualifications for a specific position is included in their Official Personnel Folder (OPF), including updated college transcripts and/or certifications.

8.3.5 Absent Employees. EMCBC and serviced employees who are absent for legitimate reasons, e.g., on detail or leave, at training courses, in the military service, or serving in public international organizations or on Intergovernmental Personnel Act (IPA) assignments and wish to be considered for position vacancies will receive appropriate consideration for promotion. Absent employees should provide their representative with a list of the types of positions for which they wish to be considered during their absence. Upon notification of available vacancies by their representative, however, absent employees must ensure that applications for such positions are submitted timely using the online application system identified in the vacancy announcement.

8.4 Evaluating Candidates

8.4.1 Eligibility/Minimum Qualifications. To be eligible for promotion or placement under this plan, applicants must meet all legal, regulatory and minimum qualification requirements (time-in-grade, positive education, and/or experience) as of the closing date/cut-off date(s) unless specified otherwise in the announcement. Minimum qualification standards are those prescribed and/or approved by OPM.

8.4.2 Selective Placement Factors. In addition to the minimum qualification factors, selective placement (i.e., screen-out) factors may be used as essential qualifying criteria if they are necessary for successful performance on the job, require extensive training or experience to develop, and cannot be learned on the job in a “reasonable” amount of time. Selective placement factors should be appropriately validated and documented in the job analysis.

8.4.3 Quality Rating and Ranking. Quality ranking factors are Knowledge, Skills, and Abilities (KSAs) that are expected to enhance job performance. Job analysis methodology and quality ranking factors will be used to identify and rank order candidates who will most likely be the best candidates for the job. A fully developed crediting plan clearly defines levels of possession of identified KSAs. Crediting plans will provide for the assignment of points at three distinct value levels:

Superior (5 points)

Good (3 points), and

Acceptable (1 point) [Note: “Acceptable” criteria is at a level above meeting the minimum qualification requirements of the position set forth by OPM.]

- 8.4.4 SME Ranking Panels. The HR Specialist, in conjunction with the supervisor, determines when a SME panel is necessary to conduct rating and ranking of candidates. An individual in the supervisory chain of command or in a lower-graded position than the position being filled may not serve on a ranking panel or be a SME. When a panel rating is deemed appropriate, the crediting plan is used to assign numerical ratings necessary to determine the best-qualified candidates. A *best-qualified* candidate is one who ranks at or above the cut-off score when compared with other qualified candidates competing for the same position. A *well-qualified* candidate is one who possesses *ALL* of the quality ranking factors (i.e., KSAs) at the “Good” (or middle) level in the applicable crediting plan. An HR Specialist is responsible for ensuring that evaluation criteria is job-related, distinguishes differences in qualifications, and is applied in a fair and consistent manner.
- 8.4.5 Simplified Rating and Ranking. In situations where there are ten or fewer minimally qualified competitive candidates for an advertised position, an HR Specialist may, at the option of the selecting official, evaluate the candidates to determine who are qualified (i.e., meet minimum qualifications, but are not rated and ranked), and refer them for selection consideration.
- 8.4.6 Evaluation of Performance. Performance appraisals will not be considered as an element in the crediting plan. However, performance appraisals may be considered by selecting officials in the selection process.
- 8.4.7 Evaluation of Awards. Awards that are specifically related to quality ranking factors may be credited when such are identified by the crediting plan. Recency and relevancy are important considerations and must be weighed in the crediting of awards.

8.5 Reconsideration Requests

Applicants who are dissatisfied with a qualifications determination may submit a reconsideration request to the EMCBC, OHR. The request must be submitted in writing (e.g., e-mail or in hard copy) to the Human Resources Specialist identified in the vacancy announcement for which the individual applied. The reconsideration request should specify the individual’s name, announcement number, and the reason for the reconsideration request. Once reviewed, the applicant will be notified in writing of the reconsideration decision.

8.6 Candidate Referral

- 8.6.1 **Competitive Selection (Promotion) Certificate.** A certificate issued to the selecting official containing the names of the best qualified candidates. Candidates are generally referred in alphabetical order and grouped by grade level. However, certificates may also be issued in score order. This may be particularly important in distinguishing among qualified candidates when there is potential to fill multiple vacancies, a limited number of qualified candidates exist, and/or there is a significant variance in ratings.
- 8.6.2 **Noncompetitive Certificate.** A noncompetitive competitive selection certificate is one issued to the selecting official containing the names of noncompetitive candidates (i.e., candidates eligible for non-competitive consideration based on reinstatement, reassignment, and change-to-lower-grade, veteran's status, or transfer to a grade no higher than previously held on a permanent basis in the competitive service or by interchange agreement). All noncompetitive candidates who are deemed qualified may be referred.
- 8.6.3 **Time Limits on Certificates.** Referral certificates will be issued with a suspense date of 30 days for return to OHR. OHR may grant extensions in increments of 30 calendar days with adequate justification from the supervisor. Certificates will expire 90 days after the original date of issuance.
- 8.6.4 **Issuance of Additional Certificates from the same vacancy announcement.** When a selection certificate is issued from a vacancy announcement, additional certificates from the same vacancy announcement may be issued within 90 days of the issuance of the first selection certificate, provided the position being filled meets the same criteria as shown in the announcement.
- 8.6.5 **Missed Consideration.** Candidates who missed consideration due to an HR error will receive a priority referral for the next vacancy that is identical in competitive area, tenure, pay plan, series, and grade. If no selection has been made from the original certificate, then it may be amended and reissued as long as the selection is made within 90 days of the date of issuance of the original certificate.

8.7 Selection Procedures

- 8.7.1 In accordance with applicable civil service laws, regulations and DOE policy, management makes the final decision on selections and has the right to select or not select from among the best qualified candidates for competitive service positions. Positions may be filled by promotion, reassignment, transfer, reinstatement, change to lower grade, noncompetitive conversion or appointment, appointment from an OPM certificate of eligibles, or other appropriate source of candidates.
- 8.7.2 Interviews are not mandatory, but are recommended. Selecting officials may elect to personally interview some, all, or none of the candidates, or appoint an interview panel to conduct pre-screening interviews; however, it is advisable to maintain a written personal record of the job-related criteria used to determine which candidates to interview. Interview questions must be job-related and validated by an HR Specialist, and the same questions must be used to interview all candidates.
- 8.7.3 Selecting officials should consider a candidate's performance appraisals and incentive awards in making a selection decision.
- 8.7.4 After a selection is made, the selecting official will document the referral certificate, indicating selection with "S" and non-selection with "NS" next to the appropriate candidate. Where applicable, the selection certificate(s) is returned through the Office of Civil Rights & Diversity and the Director of the serviced organization or program office, to OHR. If the certificate is returned without action, the selecting official will document the reason for not making a selection.
- 8.7.5 Selecting officials should maintain written personal records of the interview and selection process for a minimum of two (2) years after selection and may be required to produce them if a complaint or grievance is filed.

8.8 Selection Notifications, Entrance-On-Duty and Effective Dates

The OHR staff will notify selected candidates, make tentative job offers and establish Entrance On Duty or proposed effective dates. Normally, promotions or position changes of EMCBC and serviced employees selected under merit promotion and internal placement procedures for positions outside their current supervisory unit will be effective on the beginning date of the next pay period following receipt of the selection in OHR. By mutual agreement, the gaining and losing activities may negotiate shorter or longer release dates as requirements dictate. Release dates for selectees will be negotiated between OHR and the appropriate servicing personnel office.

8.9 Documentation

- 8.9.1 Merit promotion case files for each vacancy will be maintained for two years unless the litigation or complaint process requires longer retention. Case files may be maintained in hardcopy, electronically, or a combination of both.
- 8.9.2 Each merit promotion case fill will contain the following documents:
 - 8.9.2.1 Copy of the position description with signed PD cover sheet.
 - 8.9.2.2 Job analysis.
 - 8.9.2.3 Copy of the vacancy announcement, with OPM control number, if applicable.
 - 8.9.2.4 Copy of the annotated certificate(s).
 - 8.9.2.5 Documentation submitted by applicants in hardcopy, if provided.
 - 8.9.2.6 Copy of completed SF-52, Request for Personnel Action, selectee's resume and/or other pertinent documentation, such as transcripts, DD-214, etc.
 - 8.9.2.7 Subject-Matter Expert or panel rating sheet, if applicable.

9.0 RECORDS MAINTENANCE

Records generated as a result of implementing this document are maintained in the Human Resources Office in accordance with OPM guidance.

10.0 FORMS USED

Not Applicable.

11.0 ATTACHMENTS

Not Applicable.

EMCBC RECORD OF REVISION**DOCUMENT**

If there are changes to the controlled document, the revision number increases by one. Indicate changes by one of the following:

- 1 Placing a vertical black line in the margin adjacent to sentence or paragraph that was revised.
- 1 Placing the words GENERAL REVISION at the beginning of the text.

<u>Rev. No.</u>	<u>Description of Changes</u>	<u>Revision on Pages</u>	<u>Date</u>
1	Original	ALL	